

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

LATOSHA DEWAUN MATHIS,

DEBTOR

CHAPTER 13

CASE No. 20-70035-JWC

NOTICE OF HEARING

PLEASE TAKE NOTICE that Latosha Dewaun Mathis has filed a Motion to Retain Retirement Funds and related papers with the Court seeking an Order granting the Motion.

PLEASE TAKE FURTHER NOTICE that the Court will hold an initial telephonic hearing for announcements on the Motion at the following toll-free number **833-568-8864**; meeting id **160 459 5648** in **Courtroom 1203, Russell Federal Building, 75 Ted Turner Dr. SW, Atlanta, Georgia 30303** at **10:20 AM on June 28, 2022**.

Matters that need to be heard further by the Court may be heard by telephone, by video conference, or in person, either on the date set forth above or on some other day, all as determined by the Court in connection with this initial telephonic hearing. Please review the "Hearing Information" tab on the judge's webpage, which can be found under the "Dial-in and Virtual Bankruptcy Hearing Information" link at the top of the webpage for this Court, www.ganb.uscourts.gov for more information.

Your rights may be affected by the Court's ruling on the Motion. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If you do not want the Court to grant the relief sought in the Motion or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the Motion with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is: Clerk, U.S. Bankruptcy Court, 75 Ted Turner Dr. SW, Atlanta, Georgia 30303.

This June 3, 2022

Respectfully Submitted,
JEFF FIELD & ASSOCIATES

/s/ Christopher J. Sleeper

342 North Clarendon Avenue
Scottdale, GA 30079
404-499- 2700
contactus@fieldlawoffice.com

CHRISTOPHER J. SLEEPER
Attorney for Debtor
State Bar No. 700884

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

LATOSHA DEWAUN MATHIS,

DEBTOR

CHAPTER 13

CASE No. 20-70035-JWC

MOTION TO RETAIN RETIREMENT FUNDS

COMES NOW Debtor, Latosha Dewaun Mathis, by and through counsel, and respectfully files this Motion and shows the Court as follows:

1.

Debtor filed for relief under Chapter 7 of the U.S. Bankruptcy Code on September 21, 2020. Debtor converted to Chapter 13 on March 25, 2021 in order to prevent the liquidation of her residence. The Plan was confirmed August 26, 2021.

2.

Debtor has fallen several months behind on her mortgage prompting U.S. Bank Trust National Association to file a Motion for Relief from Stay (Doc. No. 54) which is currently set for hearing June 7, 2022.

3.

Additionally, Debtor has fallen two months behind on her payments to the Chapter 13 Trustee prompting the Trustee to file a Motion to Convert (Doc No. 55) which is also currently set for hearing June 7, 2022.

4.

Debtor has \$64,189.85 in a Kaiser Annuity TSA 3 retirement account. The retirement plan administrator is willing to release funds to Debtor provided an order is provided stating that the funds are necessary to safeguard her property.

5.

Debtor desires to retain sufficient funds from the retirement account to pay off the remaining balance of her chapter 13 plan and satisfy the delinquency to her mortgage company.

6.

The current unaudited payoff on Debtor's chapter 13 plan is \$45,922.77 and the amount necessary to cure the mortgage default is \$3,500.01.

6.

Debtor's retention of the retirement funds is necessary to safeguard her property and livelihood because failure to resolve the aforementioned issues will result in liquidation or foreclosure of her residence. Debtor believes retention of the retirement funds is in the best interest of the estate as it will result in a distribution to unsecured creditors of \$12,798.38 more than if she were to continue in her plan.

WHEREFORE, Debtor respectfully requests:

1. That this Motion be granted;
2. That Debtor be entitled to withdraw \$49,422.78 from her retirement account to be remitted to the Chapter 13 Trustee and her mortgage company to resolve the delinquency;
3. For such other relief as this Court deems necessary and proper.

This June 3, 2022

Respectfully Submitted,
JEFF FIELD & ASSOCIATES

/s/ Christopher J. Sleeper

CHRISTOPHER J. SLEEPER
Attorney for Debtor
State Bar No. 700884
342 North Clarendon Avenue
Scottdale, GA 30079
404-499- 2700
contactus@fieldlawoffice.com

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

LATOSHA DEWAUN MATHIS,
DEBTOR

CHAPTER 13
CASE No. 20-70035-JWC

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and exact copy of the foregoing "Notice" and "Motion to Retain Retirement Funds" to the following:

Nancy J. Whaley, Chapter 13 Trustee *Electronically*

Latosha Dewaun Mathis
2623 Memory Lane
Douglasville, GA 30135

All Creditors Reflected On
The Attached Mailing Matrix

by electronic service upon filing with the Court or by placing a copy of same in a properly addressed envelope with sufficient postage affixed thereon to insure delivery and depositing same in the United States Mail.

Dated: June 3, 2022

Respectfully Submitted,
JEFF FIELD & ASSOCIATES

/s/ Christopher J. Sleeper

CHRISTOPHER J. SLEEPER
Attorney for Debtor
State Bar No. 700884

342 North Clarendon Avenue
Scottdale, GA 30079
404-499-2700
contactus@fieldlawoffice.com

Label Matrix for local noticing

113E-1

Case 20-70035-jwc

Northern District of Georgia

Atlanta

Fri Jun 3 10:37:42 EDT 2022

Amex Document Page 6 of 8

Amex/Bankruptcy

Correspondence/Bankruptcy

Po Box 981540

El Paso, TX 79998-1540

Correspondence/Bankruptcy

Po Box 981540

El Paso, TX 79998-1540

Julie M. Anania

Nancy J. Whaley

Standing Chapter 13 Trustee

Suite 120

303 Peachtree Center Avenue

Atlanta, GA 30303-1286

Barclays Bank Delaware

P.o. Box 8803

Wilmington, DE 19899-8803

CREDIT FIRST NA

PO BOX 818011

CLEVELAND, OH 44181-8011

Capital One

Attn: Bankruptcy

Po Box 30285

Salt Lake City, UT 84130-0285

Capital One

Po Box 30281

Salt Lake City, UT 84130-0281

Capital One Bank (USA), N.A.

4515 N Santa Fe Ave

Oklahoma City, OK 73118-7901

Citibank, N.A.

5800 S Corporate Pl

Sioux Falls, SD 57108-5027

Citibank/The Home Depot

Citicorp Credit Svcs/Centralized Bk dept

Po Box 790034

St Louis, MO 63179-0034

Comenity Bank/Lane Bryant

Attn: Bankruptcy

Po Box 182125

Columbus, OH 43218-2125

Credit First National Association

Attn: Bankruptcy

Po Box 81315

Cleveland, OH 44181-0315

Credit One Bank

Attn: Bankruptcy Department

Po Box 98873

Las Vegas, NV 89193-8873

Department Stores National Bank

c/o Quantum3 Group LLC

PO Box 657

Kirkland, WA 98083-0657

Discover Bank

Discover Products Inc

PO Box 3025

New Albany, OH 43054-3025

(p)DISCOVER FINANCIAL SERVICES LLC

PO BOX 3025

NEW ALBANY OH 43054-3025

R. Jeffrey Field

Jeffrey Field & Associates

342 North Clarendon Avenue

Scottdale, GA 30079-1320

(p)FIRST NATIONAL BANK

ATTN BANKRUPTCY

1500 S HIGHLINE AVE

STIUX FALLS SD 57110-1003

Fnb Omaha

Attn: Bankruptcy

Po Box 2490

Omaha, NE 68103-2490

(p)GEORGIA DEPARTMENT OF REVENUE

COMPLIANCE DIVISION

ARCS BANKRUPTCY

1800 CENTURY BLVD NE SUITE 9100

ATLANTA GA 30345-3202

Goldman Sachs Bank, USA

by AIS InfoSource, LP as Agent

4515 N Santa Fe Ave

Oklahoma City, OK 73118-7901

Harrison Mill Homeowners Assoc

c/o Faron Smith

4160 Jackie Dr.

Douglasville GA 30135-4454

Gregory Hays

Hays Financial Consulting LLC

2964 Peachtree Road NW

Suite 555

Atlanta, GA 30305-4909

Hsbc Bank

Attn: Bankruptcy

Po Box 2013

Buffalo, NY 14240-2013

IRS Insolvency Unit

401 W. Peachtree St., NW

Room 400, Stop 334-D

Atlanta, GA 30308

Kohls/Capital One

Attn: Credit Administrator

Po Box 3043

Milwaukee, WI 53201-3043

Marcus by Goldman Sachs

Attn: Bankruptcy

Po Box 45400

Salt Lake City, UT 84145-0400

Latasha Dewaun Mathis

2623 Memory Lane

Douglasville, GA 30135-4453

Medical Data Systems (MDS)

Attn: Bankruptcy Dept

2001 9th Ave Ste 312

Vero Beach, FL 32960-6413

Nordstrom FSB
Attn: Bankruptcy
Po Box 6555
Englewood, CO 80155-6555

362 Richard Russell Building
75 Ted Turner Drive, SW
Atlanta, GA 30303-3315

PYOD, LLC
Resurgent Capital Services
PO Box 19008
Greenville, SC 29602-9008

Quantum3 Group LLC as agent for
Comenity Bank
PO Box 788
Kirkland, WA 98083-0788

Marc E. Rippes
Marc E. Rippes, Esq.
P O Box 923533
Norcross, GA 30010-3533

(p) SN SERVICING CORPORATION
323 FIFTH ST
EUREKA CA 95501-0305

Christopher J. Sleeper
Jeff Field & Associates
342 North Clarendon Avenue
Scottdale, GA 30079-1320

Syncb/PPC
Attn: Bankruptcy
Po Box 965060
Orlando, FL 32896-5060

Syncb/Pandora
Attn: Bankruptcy
Po Box 965060
Orlando, FL 32896-5060

Synchrony Bank
c/o PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

Synchrony Bank
Attn: Bankruptcy Dept
Po Box 965060
Orlando, FL 32896-5060

Synchrony Bank/ JC Penneys
Attn: Bankruptcy
Po Box 965064
Orlando, FL 32896-5064

Synchrony Bank/ Old Navy
Attn: Bankruptcy
Po Box 965060
Orlando, FL 32896-5060

Synchrony Bank/Amazon
Attn: Bankruptcy
Po Box 965060
Orlando, FL 32896-5060

Synchrony Bank/Gap
Attn: Bankruptcy Dept
Po Box 965060
Orlando, FL 32896-5060

Synchrony Bank/Lowes
Attn: Bankruptcy
Po Box 965060
Orlando, FL 32896-5060

Synchrony Bank/TJX
Attn: Bankruptcy
Po Box 965064
Orlando, FL 32896-5064

Target
c/o Financial & Retail Srvs
Mailstop BT POB 9475
Minneapolis, MN 55440-9475

U.S. Bank Trust National Association,
as Trustee of the Cabana Series IV Trust
c/o SN Servicing Corporation
323 Fifth Street
Eureka, CA 95501-0305

United States Attorney
Northern District of Georgia
75 Ted Turner Drive SW, Suite 600
Atlanta GA 30303-3309

Wells Fargo Bank NA
Attn: Bankruptcy
1 Home Campus Mac X2303-01a
Des Moines, IA 50328-0001

Wells Fargo Bank NA
Po Box 14517
Des Moines, IA 50306-3517

Wells Fargo Bank, N.A.
PO Box 10438, MAC F8235-02F
Des Moines, IA 50306-0438

Wells Fargo Bank, N.A., Wells Fargo Card Ser
PO Box 10438, MAC F8235-02F
Des Moines, IA 50306-0438

Nancy J. Whaley
Nancy J. Whaley, Standing Ch. 13 Trustee
Suite 120, Truist Plaza Garden Offices
303 Peachtree Center Avenue
Atlanta, GA 30303-1216

Ryan J. Williams
Nancy J. Whaley
Standing Chapter 13 Trustee
303 Peachtree Center Avenue
Suite 120
Atlanta, GA 30303-1286

Discover Financial
Pob 15316
Wilmington, DE 19850

Attn: Bankruptcy
Po Box 5097
Sioux Falls, SD 57117

SN Servicing Corp.
323 Fifth Street
Eureka, CA 95501

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) Synchrony Bank
c/o PRA Receivables Management, LLC
PO Box 41021
Norfolk VA 23541-1021

(u) U.S. Bank Trust National Association

	End of Label Matrix
Mailable recipients	56
Bypassed recipients	2
Total	58